



BILLING CODE: 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-469-805]**

**Certain Uncoated Paper from Portugal: Preliminary Results of Antidumping Duty Administrative Review; 2015-2017**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (Commerce) preliminarily determines that certain uncoated paper (uncoated paper) from Portugal is not being, or is not likely to be sold, at less than normal value during the period of review (POR), August 26, 2015, through February 28, 2017.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Carrie Bethea, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1491.

**SUPPLEMENTARY INFORMATION:**

**Background**

Commerce is conducting an administrative review of the antidumping duty order on uncoated paper from Portugal in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). The review covers one producer/exporter of the subject merchandise, The

Navigator Company, S.A. (Navigator). Interested parties are invited to comment on these preliminary results.<sup>1</sup>

### Scope of the Order

The product covered by this review is uncoated paper from Portugal. For a full description of the scope, see the Preliminary Decision Memorandum dated concurrently with and hereby adopted by this notice.<sup>2</sup>

### Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) of the the Act. For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of the topics included in the Preliminary Decision Memorandum is included as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is made available to the public via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and it is available to all parties in the Central Records Unit, room B8024 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum is available at <http://enforcement.trade.gov/frn/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

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<sup>1</sup> Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20 through 22, 2018. If the new deadline falls on a non-business day, in accordance with Commerce's practice, the deadline will become the next business day. The revised deadline for the preliminary results of this review is now April 3, 2018. *See* Memorandum for The Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (Tolling Memorandum), dated January 23, 2018. All deadlines in this segment of the proceeding have been extended by 3 days.

<sup>2</sup> *See* Memorandum, "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Certain Uncoated Paper from Portugal; 2015-2017," dated concurrently with this notice (Preliminary Decision Memorandum).

### Preliminary Results of Review

We preliminarily determine that, for the period of August 26, 2015, through February 28, 2017, the following weighted-average dumping margin exists:

Exporter/Producer	Weighted-Average Dumping Margin
The Navigator Company, S.A. <sup>3</sup>	0.00 percent

### Disclosure and Public Comment

We intend to disclose the calculations performed to parties within five days after public announcement of the preliminary results. Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs. Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Case and rebuttal briefs should be filed using ACCESS.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS. An electronically filed document must be received successfully in its entirety by Commerce's electronic records system, ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a

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<sup>3</sup> On November 23, 2016, Commerce determined that Navigator is the successor-in-interest to Portucel, S.A. *See Certain Uncoated Paper from Portugal: Final Results of Antidumping Duty Changed Circumstances Review*, 82 FR 84555 (November 23, 2016).

list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. Commerce intends to issue the final results of this administrative review, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

#### Assessment Rates

Upon issuance of the final results, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. If Navigator's weight-average dumping margin is not zero or *de minimis* (i.e., less than 0.5 percent), we will calculate an importer-specific *ad valorem* antidumping duty assessment rate based on the ratio of the total amount of dumping calculated for the importer's examined sales to the total entered value of those same sales in accordance with 19 CFR 351.212(b)(1). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is not zero or *de minimis*. If Navigator's weighted-average dumping margin is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review where applicable.

In accordance with Commerce's "automatic assessment" practice, for entries of subject merchandise during the POR produced by Navigator for which it did not know that the merchandise was destined for the United States, we will instruct CBP to liquidate those entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

We intend to issue instructions to CBP 15 days after the publication date of the final results of this review.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Navigator will be the rate established in the final results of this administrative review; (2) for merchandise exported by producers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 7.80 percent, the all-others rate established in the investigation.<sup>4</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred

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<sup>4</sup> See *Certain Uncoated Paper from Portugal: Final Determination of Sales at Less than Fair Value and Final Negative Determination of Critical Circumstances*, 81 FR 3105 (January 20, 2016).

and increase the subsequent assessment of the antidumping duties by the amount of the antidumping duties reimbursement.

The preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: March 29, 2018.

**James Maeder,**  
*Associate Deputy Assistant Secretary  
for Antidumping and Countervailing Duty Operations  
performing the duties of Deputy Assistant Secretary for  
Antidumping and Countervailing Duty Operations.*

## **Appendix**

### **List of Topics Discussed in the Preliminary Decision Memorandum**

1. Summary
2. Background
3. Scope of the Order
4. Discussion of the Methodology
  - a. Determination of the Comparison Method
  - b. Results of the Differential Pricing Analysis
5. Product Comparisons
6. Date of Sale
7. Export Price
8. Normal Value
  - a. Home Market Viability as Comparison Market
  - b. Level of Trade
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  - d. Cost of Production
    1. Calculation of COP
    2. Test of Comparison Market Sales Prices
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10. Recommendation

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